

REMARKS

Claims 1-32 are pending in this application. By this Amendment, claim 25 is amended. No new matter is added.

The Office Action Summary indicates that claims 3, 7, 11, 15, 19 and 23 are only objected to. However, a rejection of these claims is made in the body of the Office Action. Clarification of this issue is respectfully requested.

The Office Action rejects claim 25 under 35 U.S.C. 112, second paragraph, as being indefinite for containing asserted informalities. Applicants believe that this issue was obviated by the agreed upon changes of January 8, 2004. These changes are included in the changes made in the above amendment to claim 25.

Reconsideration and withdrawal of the rejection of claim 25 under 35 U.S.C. 112, second paragraph, are respectfully requested.

The Office Action rejects claims 1-2, 4-6, 17-18, 20-22 and 24-28 under 35 U.S.C. 103(a) as being obvious over Sasaki et al. (U.S. Patent No. 5,484,512) in view of Chiarelli (U.S. Patent No. 4,040,566). The Office Action also rejects claims 8-10, 12-14 and 16 under 35 U.S.C. 103(a) as being obvious over Sasaki et al. in view of Chiarelli and further in view of Jacobi (U.S. Patent No. 4,326,013). The Office Action also rejects claims 3, 7, 11, 15, 19 and 23 under 35 U.S.C. 103(a) as being obvious over Sasaki et al. in view of Chiarelli and further in view of Narayanan et al. (U.S. Patent No. 6,299,744). The Office Action also rejects claims 29-32 under 35 U.S.C. 103(a) as being obvious over Sasaki et al. in view of Chiarelli and further in view of Born (U.S. Patent No. 5,500,835). Applicants traverse these rejections.

The present claims are directed to a hydrogen station or a process for operating a hydrogen station and require, inter alia, “a tank for storage of the hydrogen in the dry state.”

As the Office Action correctly notes, “[t]he Sasaki patent does not disclose...a tank for storage of the hydrogen in the dry state...” (Office Action page 4, first full paragraph). However, the Office Action asserts that Chiarelli makes up for this deficiency in Sasaki since Chiarelli discloses “hydrogen holding [tank 146]” (Chiarelli column 7, line 20). The Office Action thus asserts that it would have been obvious “to modify the disclosure of the Sasaki patent with the teachings of the Chiarelli patent, because the Chiarelli patent teaches the...storage of the gaseous hydrogen under pressure in tanks” (Office Action page 5, first paragraph).

However, Applicants respectfully note that Sasaki et al. clearly teach against modifying their invention to store gaseous hydrogen under pressure. In particular, Sasaki et al. discloses that “[t]here is **no need** for storage in bombs, CE, etc.” (col. 4, lines 38-39, emphasis added). Sasaki et al. further disclose that “hydrogen of high purity can be produced whenever...required, and there is no need of storing [the hydrogen] in bombs, CE, etc.” (col. 4, lines 52-55). Sasaki et al. further disclose that “[s]ince high purity...hydrogen can be produced just when needed, **there is no need of storage in tanks**, bombs, etc., thus, improving safety” (col. 7, lines 20-23, emphasis added). Finally, Sasaki et al. disclose that “the methods and the apparatuses have an effect that they can produce...hydrogen of high purity whenever needed for use, **eliminating the need** of storage, in bombs, tanks etc., thus enhancing safety” (col. 11, lines 39-43, emphasis added).

Thus, Applicants respectfully submit that there would have been no need to modify the methods and apparatuses of Sasaki et al. to include a storage in a tank. Furthermore, Applicants respectfully submit that Sasaki et al. clearly teaches against making such a modification to include a storage in a tank.

Thus, as Sasaki et al. do not teach or suggest the inclusion of a tank, and further teach against using a tank as disclosed in Chiarelli, Applicants respectfully submit that the presently claimed invention would not have been obvious over the combination of Sasaki et al. and Chiarelli.

Jacobi et al. disclose an energy system including a tank for storing gas under pressure. As discussed above, Sasaki et al. teach that there would have been no reason to include a tank for storing gas in the Sasaki et al. Thus, as Sasaki et al. do not teach or suggest the inclusion of a tank, and further teach against using a tank as disclosed in Jacobi et al. (and in Chiarelli), Applicants respectfully submit that the presently claimed invention would not have been obvious over the combination of Sasaki et al., Chiarelli and Jacobi et al.

Narayanan et al. disclose hydrogen generation by electrolysis. Narayanan et al. do not appear to discuss storage of the hydrogen. In any case, as discussed above, Sasaki et al. teach that there would have been no reason to include a tank for storing gas in the Sasaki et al. Thus, as Sasaki et al. do not teach or suggest the inclusion of a tank, and further teach against using a tank as disclosed in Chiarelli, Applicants respectfully submit that the presently claimed invention would not have been obvious over the combination of Sasaki et al., Chiarelli and Narayanan et al.

Born disclose a weather forecasting watch. Born does not appear to teach or suggest the storage of hydrogen in a tank, as required by the present claims.

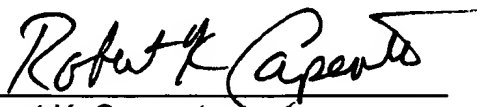
Additionally, as discussed above, Sasaki et al. teach that there would have been no reason to include a tank for storing gas in the Sasaki et al. Thus, as Sasaki et al. do not teach or suggest the inclusion of a tank, and further teach against using a tank as disclosed in Chiarelli, Applicants respectfully submit that the presently claimed invention would not have been obvious over the combination of Sasaki et al., Chiarelli and Born.

For at least the above reasons, reconsideration and withdrawal of the rejections under 35 U.S.C. 103(a) are respectfully requested.

For at least the above reasons, Applicants respectfully submit that this application is in condition for allowance and such action is earnestly solicited.

Should this paper not be considered timely filed, Applicants petition for an extension of time as may be appropriate. Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300, referencing attorney docket number 107348-00170.

Respectfully submitted,

A handwritten signature in black ink, reading "Robert K. Carpenter", written over a horizontal line.

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